

MEETING #25 - July 25

At a Regular Meeting of the Madison County Board of Supervisors on July 25, 2017 at 6:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chairman
Jonathon Weakley, Vice-Chairman
Robert Campbell, Member
Kevin McGhee, Member
Charlotte Hoffman, Member
Daniel J. Campbell, County Administrator
V. R. Shackelford, County Attorney
Mary Jane Costello, Asst. County Administrator/Finance Director
Jacqueline S. Frye, Deputy Clerk

Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum/Adopt Agenda

Chairman Jackson advised that all members are present. A quorum was established.

Chairman Jackson called for additions/corrections or adoption of today's Agenda.

Supervisor Campbell moved that today's Agenda be approved as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

2. Public Comment:

Chairman Jackson opened the floor for public comment.

The following citizen(s) provided public comment(s):

- ✓ Joe May: Comments pertained to a publication regarding the RRCS and the increase in the budget from 1993 (of \$9,000,000.00) for 150 employees; current budget is \$24,000,000.00-\$25,000,000.00 and total employees is 350; also referred to a recent discussion regarding the request by Healthy Families; urged the County to use discretion in approving services (i.e. once services are given to folks, it's impossible to take them back) – there is only so much (funding) to go around
- Supervisor Campbell: Referred to the recent County fair (i.e. cow kissing contest) to raise funding for the local 4-H organization; publicly donated (\$100.00) to the county 4-H organization and encouraged all citizens to support the organization

3. Constitutional Officers -

a. Sheriff's Office: Erik Weaver, Sheriff, was present to provide concerns regarding the recent six (6) mental health transports to the following locations:

- ✚ Pound, Virginia (6 miles from the Kentucky State line) 26 miles from Bristol, TN)
- ✚ Lebanon, Virginia (26 miles from Bristol, TN) [Transport from Mary Washington Hospital, Fredericksburg, VA]
- ✚ Galax, VA (19 miles from the North Carolina State line)

After research, it was noted there are eighteen (18) hospitals within a 125-mile radius of Madison County, and he questioned why local law enforcement is having to travel to the aforementioned localities to transport patients. He further noted law enforcement was advised there were no openings at the Snowden facility, but Orange County was allowed to fill an opening at a Richmond Facility within a number of hours after Madison County was refused. Although local law enforcement is required to provide transportation for mental health cases, he noted the costs for staff hours, fuel, wear/tear on vehicles, and the fact that law enforcement:

- ✓ Law enforcement personnel (two [2] deputies) must drive the distance (straight) without any restroom stops (i.e. mental health patients cannot be left unattended)
- ✓ Feels the process at the Culpeper CIT Center isn't working (for Madison County's benefit)
- ✓ Questioned why hospital space wasn't available in other localities (i.e. Manassas, Prince William, Richmond, Petersburg, etc.)
- ✓ Questioned if the County needs to move to PD10 (instead of remaining in PD9 district)
- ✓ Local law enforcement must provide transportation if the patient is a resident of Madison County

- ✓ Questioned the legalities involved when local law enforcement is requested to provide a courtesy transport (from Culpeper Hospital) for patients that reside in Madison County
- ✓ The local CSB has refused to provide local law enforcement with a copy of the space log for hospitals within the 125-mile radius (access to the information is provided to CSB eligibility personnel, hospital personnel, and not to law enforcement personnel)
- ✓ Plans to discuss today's concerns with Delegate Nick Freitas
- ✓ Madison Sheriff's Office is mandated to provide transportation (for County patients)

Several meetings have been held (with the Commonwealth Attorney) to discuss today's concerns. The Board of Supervisors is being asked for assistance and assessment of today's concerns. Noted that additional funding may well be needed for his department in the coming year to cover these additional costs. Noted that local law enforcement will discontinued providing courtesy rides for Madison patients from the Culpeper Hospital once they are brought to the Madison County line.

Comments from the Board focused on:

- Protocol involved (transports from [Culpeper] to another destination)
- CIT training requirements
- Who has privy to database information (i.e. bed registry)

Brian Duncan, Executive Director, RRCS, was present along with Robert Legge and Bonita Burr, County appointees to the RRCSB. Initial comments focused on the development of legislation regarding the bed registry that evolved after the shooting incident at Virginia Tech. The bed registry is controlled by the State (Department of Health) and not the CSB. CSB personnel has access to the registry but aren't authorized to allow any other agencies to utilize the system, excluding social workers and/or hospital personnel. It was also noted that the registry doesn't equate bed availability; therefore, when CSB staff is inquiring about bed space, it's up to each individual hospital as to whether a patient will be accepted as referred, despite the fact that a hospital may actually have several empty beds on hand. There have been times where there was available space in a hospital, but due to there being a shortage of staff and an inability to process admissions, CSB's have been denied the opportunity to admit any patients. Although the registry is a good tool and is helpful, it doesn't necessarily mean that a hospital will receive a patient for admission, as hospitals do evaluate the appropriateness of any patient seeking admission. Additionally:

- ✓ Madison County Sheriff's Office is mandated to provide transportation for TDO patient
- ✓ CSB doesn't have staff at Mary Washington Hospital to provide evaluations
- ✓ Local Sheriff's Office is mandated to provide transportation excluding involvement by CSB in Culpeper
- ✓ Transports are a drain on the County's resources
- ✓ CIT Center does provide transportation to psychiatric hospitals
- ✓ Culpeper Sheriff's Office is under contract (with the CSB) to provide hospital transports [i.e. bring people to the CIT Center and then to a designated admitting hospital facility]
- ✓ Transports that occur after the CIT Center closes
- ✓ The CIT Center is a good program (in his opinion), and a good system, although it isn't perfect
- ✓ CSB is willing to pay any agency (i.e. sheriff's office) that is willing to be available for all transports
- ✓ There is no local psychiatric resource available in the entire region (hospital in Fauquier and Culpeper does very little to combat psychiatric needs)
- ✓ Services are provided on a 'first come-first serve' basis
- ✓ CIT Center operates 100 hours per week

Additional comments from the Board focused on:

- The advantages of having an electronic database in place
- The need to be frugal with tax dollars
- Fauquier and Culpeper have a local hospital
- Requesting hospitals to provide up-to-date bed availability into a database
- The possibility of discussing today's concerns with legislators
- Who initiated transportation mandates
- Whether the CIT Center assisted with the transports (handled by local law enforcement)
- That the state police should be mandated to handle transports in excess of 120 miles
- Mental health concerns are a major issue

Mr. Duncan further advised that:

- ✓ Mandates/regulations were initiated by the General Assembly; and
- ✓ Questioned if the citizens should speak out against the unfunded mandates

The Sheriff advised that during his tenure with the Virginia State Police, the department never handled these types of transports.

To date, local law enforcement provided:

- ✓ 11 transports (to Madison)
- ✓ 8 (of the 11) transports were from Culpeper (i.e. CIT Center, Hospital emergency room) following mental health evaluations
- ✓ 92% of law enforcement calls come from Culpeper Hospital
- ✓ 5% are from UVA
- ✓ 1% were from Martha Jefferson Hospital
- ✓ 1 call was from Mary Washington Hospital
- ✓ All transports are for County residents

If anyone taken to the CIT Center isn't a resident of Culpeper County, the security guard will not watch that person (i.e. local law enforcement has to remain with the individual at all times until they're evaluated). Surrounding localities (i.e. Orange, Rappahannock) are experiencing the same problems as Madison County.

Discussions also focused on Southwestern State Hospital and the fact that this facility is not a first option. The state of Virginia contracts with private hospitals to divert admissions from Western State Hospital. The only time any facility will directly transport to Western State Hospital is if no other facility cannot accept an admission, which is very rare. Additional input focused on:

- ✓ Average length of stay is 3-5 days in a private hospital
- ✓ Cost is \$800.00 per day to stay in a private hospital
- ✓ CIT Center will only provide security for Culpeper residents
- ✓ Insured patients will be billed through their insurance carrier(s)

Mr. Duncan advised that the Courts are ordering and mandating treatment for substance abuse treatment (has nothing to do with CSB); endeavor is placing a strain on local funding resources.

Robert Legge, RRCSB Member, was present and agreed that mental health and substance abuse issues are of real concern; the CSB is working hard to address these issues.

The County Administrator reminded the Board that our local representatives will be present at the VACo Region 6 meeting; suggested this may be an opportunity to have today's items of concern discussed - it could help if these matters were included in VACo's legislative program and may help get the State more involved in finding a viable solution to today's concerns.

Additional questions focused on:

- Contracted services (attained by the RRCS)
- Total number of citizens being served in Madison County
- Ways to address immediate concerns
- The effects of rejecting tonight's proposed resolution
- Fees being charged (to the County) for specific services (due to there being no local mental health/substance abuse service providers)
- The County has got to support the Sheriff and take a stand

Mr. Duncan advised that services are contracted for:

- Psychiatric services
- Physical therapy
- Speech Therapy
- Children's Services
- Other specializes services

RRCS doesn't hire physical or speech therapists

- 524 individuals (in Madison County) being served by RRCS (numbers aren't duplicated)

Commonwealth Attorney: Clarissa Berry, Commonwealth Attorney, was present and advised of the upcoming retirements:

- Gail Sisk (Clerk - Combined Court): Retirement effective July 31, 2017 [position will be filled by Wendy Gallihugh]
- Edward Berry (Juvenile Judge): Retirement effective August 1, 2017 [position will be filled by Ron Morris for three (3) days per month in Madison]

Madison Schools: Bob Chappell, School Board member, was present; advised that the school board will plan to meet on August 7th at 10:00 a.m. to discuss techniques to begin searching for a new school Superintendent.

4. County Departments –

a. Brian Duncan, Executive Director, Rappahannock Rapidan Community Services Board – FY2018 Program Plan & Performance Contract [Resolution #2017-7]: Brian Duncan, Executive Director, RRCSB and Board members, Robert Legge and Bonita Burr were present for today's session.

The Commonwealth Attorney was present and advised that recent meetings have included discussions on possible ways to promote the existing program being utilized in Fauquier County, and to assess long-range ideas to improve services in Madison County; feels that rejection of tonight's proposed resolution may require the State to assess the existing legislative framework in place to deal with mental health issues; localities don't appear to be getting their needs met; the State

The Commonwealth Attorney was present and advised that recent meetings included discussions on the possibility of promoting the existing program being utilized in Fauquier County, and long-range ideas to improve services for Madison County; feels that rejection of tonight's resolution would require the State to assess the legislative framework that is currently in place for mental health issues. Also noted that hospitals appear to not be updating the registry in a timely manner, which hinders the bed registry program from working as appropriately as it should.

The County Administrator advised that the General Assembly has worked towards privatizing treatment facilities; also provided input on other facilities that the State has closed or is in the process of trying to close additional facilities.

Joe May was present and advised that (in his opinion), there is money to be made; Virginia has never had a good history of dealing with mental health concerns

The Finance Director provided highlights from a recent PD9 regional meeting that focused on today's concerns as being an economic development issue as opposed to a mental health services issue. It's felt that this issue is of great interest to local mental health providers and localities.

Comments from the Board:

- County has got to take a strong stand and support the Sheriff

Supervisor Campbell moved that the Board table action on Resolution #2017-7 until the next meeting in August 2017, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

5. Committees or Organizations: None

6. Finance

a. FY2017 Post Year Claims:

\$19,027.58

b. FY2018 Claims:

\$13,311.33

\$ 1,350.62

\$14,661.95 Total

Supervisor Hoffman moved the Board approve FY2018 claims totaling \$14,661.95, seconded by Supervisor McGhee. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

Supervisor Hoffman moved the Board approve FY2017 claims totaling \$19,027.58, seconded by Supervisor Campbell. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

b. Supplemental Appropriations

i. Sheriff's Department – Court Security (FY2017 - #42_07252017) \$20,333.77

Supervisor Campbell moved that the Board approve FY2017 Proposed Supplemental Appropriation #42_07252017 totaling \$20,333.77 as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

ii. Contingency Reserve (FY2017 - #43_07252017) \$7,237.11
Supervisor Weakley moved that the Board approve FY2017 Proposed Supplemental Appropriation #43_07252017 totaling \$7,237.11 as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

iii. PRA Reimbursable Expenses (FY2017 - \$44_07252017) \$2,683.85

Question:

Supervisor Campbell: Questioned overtime attained for PRA Manager's position

The County Administrator explained that the aforementioned position was reclassified based regulations required by the Department of Labor – the position calls for work activity that doesn't meet the criteria to be considered as 'exempt.'

Supervisor Weakley moved that the Board approve FY2017 Proposed Supplemental Appropriation #44_07252017 totaling \$2,683.85 as presented, seconded by Supervisor McGhee. Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).

iv. *Overage on Armstrong Scholarship Fund (FY2017- 45_07252017) \$23.32:* The Finance Director advised that this appropriation is for additional funds; suggested the Board assess as to whether this fund should continue in FY2019 (i.e. fiduciary fund) and was included in the initial FY2018 budget.

Supervisor Weakley moved that the Board approve FY2017 Proposed Supplemental Appropriation #45_07252017 totaling \$23.32 as presented, seconded by Supervisor Hoffman. Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).

v. Building Official FY2018 – VA Code Education Conference (FY2017 - #01_07252017) \$500.00:

Supervisor McGhee moved that the Board approve FY2017 Proposed Supplemental Appropriation #01_07252017 totaling \$500.00 as presented, seconded by Supervisor Hoffman. Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).

vi. Encumbrances for FY2017 Year End (FY2017 #02)07252017) \$222,001.13

Supervisor Campbell moved that the Board approve encumbrances for FY2017 year-end totaling \$222,001.13 as presented, seconded by Supervisor McGhee. Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).

c. **Final Encumbrances:** The Finance Director advised that the final encumbrances are FY2017 commitments to be carried to FY18 for prepaid items. Leftover funding in the transfer station departmental budget will be used to cover costs associated with wood chipping.

Supervisor Campbell moved that the Board approve year end encumbrances in the amount of \$222,001.13 for FY2017 as presented, seconded by Supervisor McGhee. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

d. **CSA Cost Estimate:** The Finance Director advised of the following highlights for CSA:

- ✓ YTD expenditures reported to State: \$3,074,318.44
- ✓ Total funds available in CSA System: \$3,409,402.00
- ✓ Available balance for close of FY \$335,083.56
- ✓ Actual Expenses YTD for year: \$1,014,208.44
- ✓ Estimated local Medicaid share deductions: \$120,474.89
- ✓ Estimated to go amount: \$91,569.01
- ✓ Estimated total local share: \$1,268,519.83
- ✓ Total appropriation as of 7/25/17: \$1,212,203.78
- ✓ Estimated shortfall: \$56,316.05
- ✓ Contingency funds available: \$59,473.60
- ✓ Contingency phone system: \$15,253.45
- ✓ Total Contingency at 7/25/2017: \$74,726.96
- ✓ Estimated shortfall of \$56,316.05
- ✓ County will not have to utilize fund balance
- ✓ Reimbursable funds from the State haven't been received for May or June

7. Minutes:

a. #22, #23, #24

Chairman Jackson called for corrections and/or approval of Minutes #22 through #24

#22: Supervisor McGhee moved that the Board approve Minutes #22 as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

#23: Supervisor McGhee moved that the Board approve Minutes #23 as presented, seconded by Supervisor. *Ayes: Jackson, Campbell, McGhee, Hoffman. Abstain: Weakley. Nays: (0).*

#24: Supervisor McGhee moved that the Board approve Minutes #24 as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

8. Old Business:

a. Healthy Families MOU:

Comments from the Board:

- Supervisor Weakley: MOU reads that County will have to support funding the Healthy Families Program next year; feels the County's budget can't support this type of request
- Supervisor Campbell: Verbalized non-support of the Healthy Families Program initiative
- Supervisor Hoffman: Verbalized non-support of the Healthy Families Program; feels the funding requirement will only increase annually
- Supervisor McGhee: Feels that by rejecting the initiative, the County will be sending a message (regarding these types of funding mechanisms)

Supervisor Campbell moved that the Board **NOT** adopt the Memorandum of Understanding for the Healthy Families of Virginia Program as submitted, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

9. New Business:

a. Virginia Association of Counties Region & Legislative Meeting: The County Administrator advised that the VACo legislative meeting may be a forum to discuss some of the Counties issues; the session will be held on Thursday, August 10th in Clarke County; several state legislators will be present for the session; this will be good opportunity to discuss today's concerns (i.e. Sheriff's Department – mental health transports) for discussion and inclusion into VACo's legislative program. The Board was encouraged to have a representative attend to bring forth today's issues.

After discussion, Supervisor Weakley and Supervisor McGhee will plan to attend to represent Madison County. Members were also encouraged to provide a 'laundry list' to Supervisor Weakley to be shared at the legislative session.

The County Administrator provided highlights on the economic development opportunity initiated in Pound, Virginia regarding the positive outcome of building a mental health facility in the locality.

10. Public Comment: Chairman Jackson opened the floor for public comment.

The following citizen(s) provided comments:

- ✓ Eleanor Montgomery: Thanked the Board for being good financial stewards over County tax dollars; also feels that funding for the NARCAM program may impose a drain on society in the future

11. Information/Correspondence:

Broadband Committee: Supervisor Weakley referred to a recent letter to the editor concerning the Broadband Committee that noted that the funding had been requested for a permit to install a tower structure, which is incorrect. Also advised that the same citizen has brought forth comments regarding a 'turkey house' in the County. Correspondence has been received from DEQ to advise that the individual that owns the 'turkey house' is in full compliance with all DEQ requirements.

Primitive Campground: Supervisor Campbell advised that the upcoming joint meeting will hold a discussion on primitive campgrounds and to allow everything in a B1, M1 and M2 zone to be allowed by right.

12. Closed Session [2.2-3711(A)(1), pertaining to discussion, consideration or interviews of prospective candidates for County Administrator position]

a. Closed Session: On motion of Supervisor Weakley, seconded by Supervisor Hoffman, the Board convened in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(1), pertaining to discussion, consideration or interviews of prospective candidates for County Administrator position, with the following vote recorded: *Aye: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

b. Motion to Reconvene in Open Session:

On motion of Supervisor Weakley, seconded by Supervisor McGhee, the Board reconvened in open session, with the following vote recorded: *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

c. Motion to Certify Compliance:

On motion of Supervisor Weakley, seconded by Supervisor McGhee, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code 2.2-3711(A)(7), only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, with the following vote recorded: *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

No action was taken as a result of closed session

13. Adjournment

With no further action being required, Supervisor McGhee moved to adjourn tonight's meeting, seconded by Supervisor Campbell.
Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).

R. Clay Jackson, Chairman
 Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors

Adopted on: August 8, 2017

Copies: R. Clay Jackson, Jonathon Weakley, Robert Campbell, Kevin McGhee, Charlotte Hoffman, V. R. Shackelford, III,
 Constitutional Officers



Agenda
Regular Meeting (#2)
Madison County Board of Supervisors
Tuesday, June 25, 2017 at 6:00 p.m.
County Administration Building, Auditorium
414 N Main Street, Madison, Virginia 22727



Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum / Adopt agenda
2. Public Comment
3. Constitutional Officers
4. County Departments
5. Committees or Organizations
 - a. Brian Duncan, Executive Director, Rappahannock-Rapidan Community Services Board – FY2018 Program Plan & Performance Contract [Resolution #2017-7]
6. Finance:
 - a. July 2017 Claims
 - b. Supplemental Appropriations
 - c. Final Encumbrances
 - d. CSA Cost Estimate
7. Minutes:
 - a. #22, #23, #24
8. Old Business:
 - a. Healthy Families Virginia Program & Memorandum of Understanding with Culpeper County
- 9.. New Business:
 - a. Virginia Association of Counties Region 6 Legislative Meeting
10. Public Comment
11. Information/Correspondence (if any)
12. Closed Session: [Virginia Code Section 2.2-3711(A)(1), Pertaining to Discussion, Consideration or Interviews of Prospective Candidates for County Administrator Position]
13. Adjournment